

Appl. No. 10/070,106
Amdt. dated January 10, 2005
Reply to Office action of September 8, 2004

REMARKS

Reconsideration is respectfully requested. Claims 1-14 were present in the application. New claim 15 is added. Claims 1, 5, 7 and 8 are amended.

Claims 1-14 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Alexander et al, U.S. Patent 6,134,593.

Applicant respectfully traverses.

The Alexander et al document does not teach the claimed invention, in that it does not show the relationship of the three parties in applicant's invention: 1) a portable data terminal (i.e., the user); 2) a software sales site; and 3) a storage server.

In Alexander et al, the client 110 of Fig. 1 might be considered to correspond to the portable data terminal 10 of applicant's teachings. The server 150 of Alexander et al might be considered correspondent to applicant's sales server 12. But note, however, that Alexander et al then lack and do not teach a server such as applicant's storage server 9, wherein each user has its own user-dedicated storage.

In view of this, Alexander et al cannot anticipate applicant's claimed invention.

Further, Alexander et al do not teach the feature of claim 1, for example of storing the software, which is purchase

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requested at a software sales site on the network by a user, into a dedicated storage area allocated to the user of the storage server without sending the software from the sales site directly to a portable data terminal of the user.

Applicant has further clarified a distinction by adding that, in claim 1, that the storage area is uniquely dedicated to the user. Applicant submits that this was clear and apparent in the claim as filed previously, but adds this language here to further clarify the point.

Claim 5 is amended to clarify that the storage area is allocated "specifically" to the user, again to clarify the concept idea of each user having his or her own dedicated area. Alexander et al do not appreciate this point.

Claim 7 is amended to recite that the storage area is not being allocated to another user. Claim 8 recites the concept as "a storage unit having dedicated storage areas, each uniquely allocated to an individual user of a portable data terminal".

These concepts are neither taught nor suggested by Alexander et al.

Regarding claim 10, Alexander et al do not teach "said portable data terminal further comprising means for automatically erasing the software from said local storage when an expiration date defined by the expiration date information has passed". While Alexander et al discuss a user being able to freely access a software during a period of time, there is no

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teaching of automatically erasing the software from local storage after an expiration date. Further, the concept of claim 11, of "means for allowing the user to rewrite said management table freely is not provided", is taught by applicant, not by Alexander et al.

Similarly, the concepts of claims 12 and 13 of automatically erasing the software from local storage at an expiration date are not shown or suggested by Alexander et al.

New claim 15 is added herein to add further detail, that the storing of the software into the dedicated storage is performed after the purchase. Alexander et al appear to teach that the software is already existing, and that storage is independent of whether a purchase is made or not.

It is respectfully submitted that Alexander et al neither teach nor suggest claims 1-15.

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In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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